

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1915 of 2018

1. Parshuram S/o Shri Ram Singh Rathiya, Aged About 40 Years, R/o Village Durgapur, Thana And Tahsil Dharamjaygarh, Civil And Revenue District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Dharamjaygarh, Civil And Revenue District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Non-applicant

MCRC No. 3261 of 2018

1. Saheb Ram Chaudhary S/o Shri Panchram Chaudhary, Aged About 32 Years, R/o- Village- Aamgaon, P.S. And Tahsil- Tamnar, District- Raigarh, Civil And Revenue District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station- Dharamjaigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

--- Non-applicant

For Applicant – Shri Sunil Sahu, Advocate (in MCRC No.1915/2018),
Shri Manoj Kumar Sinha, Advocate (in MCRC No.3261/2018).

For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

04-05-2018

1. As these two applications arise out of the same crime number, i.e. Crime No.217/2017, registered at Police Station Dharamjaygarh, District- Raigarh, Chhattisgarh, for the offence under Section 417, 418, 419, 420, 467, 468, 469, 470, 471 and 120-B of the IPC, they are being decided by this common order.
2. Heard on the applications filed under Section 439 of the Cr.P.C. These are first bail applications before this Court filed by the applicants for grant of regular bail. Applicant Parshuram (in MCRC No.1915/2018) has been arrested on 12-10-2017 and applicant Saheb Ram Chaudhary (in MCRC No.3261/2018)

has been arrested on 16-04-2018 in connection with aforesaid crime number and offences.

3. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. Applicant Parshuram (in MCRC No.1915/2018) is in jail since 12-10-2017 and applicant Saheb Ram Chaudhary (in MCRC No.3261/2018) is in jail since 16-04-2018. Charge sheet has been filed. Similarly placed co-accused persons have been granted bail. Hence, it is prayed that these applicants may also be released on bail.

4. Learned counsel for the State/non-applicant opposes the applications.

5. Heard learned counsel for the parties and perused the case diary.

6. According to the complaint made by Setram Choudhari, on the inducement given by co-accused Amar Lal Patel, the complainant made a purchase of land and sale-deed was registered on 28-02-2017 after payment of consideration. Later on, the complainant came to know that fraud has been committed and the sale-deed was executed by some persons impersonating as the original land owners. The allegation against applicant Parshuram (applicant in MCRC No.1915/2018) is this that he was a witness to the sale-deed and allegation against applicant Saheb Ram Chaudhary (applicant in MCRC No.3261/2018) is this that he had shown the land which was the subject matter of the sale.

7. Considered on the material present in the case diary. As it appears that similarly placed co-accused persons have been granted bail, in the considered view of this Court, these applicants also deserve to be granted regular bail.

8. Consequently, both these applications filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail are hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety each in

the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Aadil